

*school district may adopt the plan or system of school administration provided by such sections 40.50 to 40.60, but in such event such territory lying within the other school district shall not pay school tax in such fourth class city. Such territory lying within the other school district shall continue to vote on school matters within said district and shall not vote on any matter relating to the city school plan within said city. All general school statutes govern city schools as far as applicable, and as they are in harmony with this plan. This plan shall become effective on July 1, 1928, except that the members of school boards shall be elected the first Tuesday of the preceding April.*

SECTION 2. This act shall take effect upon passage and publication.

Approved May 5, 1933.

No. 162, S.]

[Published May 8, 1933.

#### CHAPTER 104.

AN ACT to create section 59.635 of the statutes, relating to destruction, removal, and perpetuation of landmarks and providing a penalty.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. A new section is added to the statutes to read: 59.635 (1) No landmark, monument, corner post of the government survey or survey made by the county surveyor or survey of public record shall be destroyed, removed, or covered by any material that will make said landmark, monument, or corner post inaccessible for use, without first having erected as hereinafter provided witness or reference monuments for the purpose of identifying the location of such landmark and making a certified copy of the field notes of the survey setting forth all the particulars of the location of said landmark with relation to the reference or witness monuments so that its location can be determined after its destruction or removal and filing the same in a manner hereinafter provided.

(2) Whenever it becomes necessary to destroy, remove or cover up in such a way that will make it inaccessible for use, any landmark, monument of survey, or corner post within the meaning of this act, the person or persons who intend to commit such act

shall serve written notice upon the county surveyor of the county within which said landmark is located, except that such notice shall be served upon the city or village engineer if such landmark is located within the corporate limits of a municipality, to the effect that he, or they, deem it necessary to remove or destroy such landmark, giving a legal description of the same together with the reason for doing so. The county surveyor, city or village engineer upon receipt of said notice, shall within a period of not to exceed six working days, either by himself or by his deputy, make a survey of said landmark, and, if he deems it necessary because of the public interests to remove said landmark, he shall erect two or more witness monuments or, if within a municipality, may make two or more offset marks at places near said landmark and where they will not be disturbed. He shall make a survey and field notes giving a description of the landmark and the witness monuments or offset marks, stating the material and size of the witness monuments and locating the offset marks, the distance and courses in terms of the true meridian that the witness monuments bear from the landmark and, also, of each witness monument to at least one of the other witness monuments. He may also make notes as to such other objects, natural or artificial, as will enable any one to locate the position of the landmark. The witness monuments shall be made of durable material of cement, natural stone, iron, or other equally durable material, except wood. If iron pipe monuments are used, they shall be made of two inch or more galvanized iron pipe not less than thirty inches in length having an iron or brass cap fastened to the top and marked with a cross cut on the top of the cap where the point of measurement is taken. If witness monuments are made of cement, stone or similar material, they shall be not less than thirty inches in length nor less than five inches in diameter along the shortest diagonal marked on the top with a cross where the point of measurement is taken. The county surveyor upon completing the survey shall make a certified copy of the field notes of the survey and file it as provided for in section 59.60 of the Wisconsin statutes of 1931. The city or village engineer upon completing the survey shall file the notes in his office, open to the inspection of the public.

(3) In those counties where there are no county surveyors or where the county surveyor, because of illness or other infirmities, does not commence the work within the required period of time,

a petition can be made to the county judge of the county within which said landmark is located requesting him to appoint a surveyor to act in the capacity of the county surveyor. The county judge, upon receipt of this petition, may appoint a qualified surveyor to act in the capacity of the county surveyor in doing this work.

(4) The cost of the work of perpetuating the evidence of any landmark under the scope of this act shall be borne by the party or parties deciding to have such work done.

(5) Any person or persons who shall remove or destroy or make inaccessible any landmark, monument of survey, corner post of government survey, survey made by the county surveyor or survey of public record without first complying with this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not to exceed two hundred fifty dollars or by imprisonment in the county jail for a period of not more than one year.

(6) It shall be the duty of every forest ranger, forest patrolman, conservation warden, and every other officer of the department of conservation to enforce the provisions of this section.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 5, 1933.

No. 246, S.]

[Published May 8, 1933.

### CHAPTER 105.

AN ACT to amend sections 85.65 and 85.66 of the statutes, relating to loads on motor vehicles.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Sections 85.65 and 85.66 of the statutes are amended to read: 85.65 No motor vehicle, *trailer or semitrailer* shall carry any load extending beyond the line of fender on the left side of such vehicle nor extending more than six inches beyond the line of fender on the right side thereof. In the case of trucks the fender line shall be considered as the rear fenders, flare boards or floor of body.

85.66 Whenever the load of any vehicle shall extend more than four feet beyond the rear of the bed or body thereof there shall